

# UNOFFICIAL COPY

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## MEMORANDUM OF ASSIGNMENT OF PROPRIETARY LEASE

THIS MEMORANDUM OF ASSIGNMENT OF PROPRIETARY LEASE ("Memorandum") is made and entered into as of this 21st day of May, 1992 by and between LUTHER VILLAGE OWNERS CORPORATION, an Illinois corporation ("Lessor"), and EMORY W. ROGERS and MARGARET M. ROGERS, his wife, and WILLIAM A. ROGERS and PETER VAN ALYEA and PEGGY VAN ALYEA, his wife, all as joint tenants with right of survivorship ("Lessee").

### Recitals:

A. Lessor and Luther Village Limited Partnership, an Illinois limited partnership ("Luther Partnership"), as lesse therein, have heretofore entered into that certain proprietary lease dated as of December 10, 1990 ("Lease") with respect to unit number 113-A (the "Unit") located at 1280 Village Drive, Arlington Heights, Illinois, which Unit is in a building located on a certain land legally described on Exhibit A attached hereto and by this reference made a part hereof. Any and all defined terms used herein shall have the same meaning as set forth in the Lease, except as otherwise provided herein.

B. Luther Partnership assigned all of its right, title and interest in and to the Lease by that certain Assignment of Lease of even date herewith executed by and among Luther Partnership, Lessor and Lessee.

C. Lessor and Lessee have agreed to enter into this Memorandum for purposes of giving notice of said Lease and certain of its terms, covenants and conditions.

Permanent Tax Index Number:  
03-19-400-005-0000

Address of Premises:  
Oakton Avenue & Kennicott  
Arlington Heights, Illinois

This Instrument Prepared by and  
after Recorded return to:

Patricia Needham, Esq.  
Skadden, Arps, Slate,  
Meagher & Flom  
333 West Wacker Drive  
Suite 2100  
Chicago, Illinois 60606

1992 MAY 21 PM 3:36

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73 64673

783 844 Bauer

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Property of Cook County Clerk's Office

Handwritten initials/signature

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NOW, THEREFORE, in consideration of the covenants hereinafter contained and for other good and valuable consideration and in consideration of the Rent reserved and and covenants and conditions more particularly set forth in the Lease, Lessor and Lessee do hereby covenant and agree as follows:

1. Lease of Unit. Lessor does hereby demise and lease to Lessee and Lessee hereby leases from Lessor the Unit for the Term hereinafter provided, on and subject to the terms and conditions of the Lease.

2. Term. The term of the Lease commences on May 21, 1997 ("Commencement Date") and shall continue until 11:59 p.m. on November 7, 2088, unless sooner terminated or further extended as provided in the Lease.

3. Notice. This Memorandum does not set forth all of the material terms or conditions of the Lease. This Memorandum is not intended to, and does not and shall not, amend, modify, diminish or affect in any way the Lease or the construction or interpretation thereof or any rights or obligations of any of the parties thereto. The sole purpose of this Memorandum is to give notice of said Lease and of certain of its terms, covenants and conditions.

4. Miscellaneous. This Memorandum shall be binding upon and inure to the benefit of the parties hereto, their respective heirs, executors, administrators, successors and assigns.

IN WITNESS WHEREOF, the parties hereto have executed this Memorandum as of the date and year first above written.

LESSOR:

LUTHER VILLAGE OWNERS CORPORATION  
an Illinois corporation

By: \_\_\_\_\_

Name: \_\_\_\_\_

Its: \_\_\_\_\_

LESSEE:

Emory W. Rogers by Will A. Rogers  
EMORY W. ROGERS

Margaret M. Rogers by Will A. Rogers  
MARGARET M. ROGERS

William A. Rogers  
WILLIAM A. ROGERS

Peter Van Alyea by Will A. Rogers  
PETER VAN ALYEA

Peggy Van Alyea by Will A. Rogers  
PEGGY VAN ALYEA

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## EXHIBIT "A"

PAD A

THAT PART OF THE WEST HALF OF THE SOUTHEAST QUARTER OF SECTION 19, TOWNSHIP 42 NORTH, RANGE 11 EAST OF THE THIRD PRINCIPAL MERIDIAN IN COOK COUNTY, ILLINOIS, DESCRIBED AS FOLLOWS: COMMENCING AT THE SOUTHWEST CORNER OF SAID WEST 1/2 OF THE SOUTHEAST 1/4; THENCE NORTH 0°00'00" EAST ALONG THE WEST LINE OF SAID WEST 1/2 OF THE SOUTHEAST 1/4, 32.99 FEET; THENCE EAST ALONG A LINE NORMAL TO THE LAST DESCRIBED COURSE, 40.00 FEET TO THE EAST LINE OF KENNICOTT BOULEVARD; THENCE NORTH 0°00'00" EAST ALONG SAID EAST LINE OF KENNICOTT BOULEVARD, 2570.30 FEET TO THE SOUTH LINE OF THOMAS STREET; THENCE NORTH 89°59'08" EAST ALONG SAID SOUTH LINE OF THOMAS STREET, 1247.28 FEET TO THE WEST LINE OF RIDGE AVENUE; THENCE SOUTH 0°00'06" WEST ALONG SAID WEST LINE OF RIDGE AVENUE, 1421.35 FEET; THENCE NORTH 89°59'54" WEST, 283.68 FEET TO THE POINT OF BEGINNING; THENCE SOUTH 45°00'03" WEST, 72.00 FEET; THENCE NORTH 44°59'57" WEST, 112.93 FEET; THENCE NORTH 89°59'57" WEST, 12.83 FEET; THENCE SOUTH 45°00'03" WEST, 114.10 FEET; THENCE NORTH 44°59'57" WEST, 72.00 FEET; THENCE NORTH 45°00'03" EAST, 114.10 FEET; THENCE NORTH 0°00'03" EAST, 12.83 FEET; THENCE NORTH 44°59'57" WEST, 138.60 FEET; THENCE NORTH 45°00'03" EAST, 72.00 FEET; THENCE SOUTH 44°59'57" EAST, 129.64 FEET; THENCE SOUTH 89°59'57" EAST, 25.50 FEET; THENCE NORTH 45°00'03" EAST, 129.64 FEET; THENCE SOUTH 44°59'57" EAST, 72.00 FEET; THENCE SOUTH 45°00'03" WEST, 131.76 FEET; THENCE SOUTH 0°00'03" WEST, 22.50 FEET; THENCE SOUTH 44°59'57" EAST, 106.09 FEET TO THE POINT OF BEGINNING, CONTAINING 1.021 ACRES, MORE OR LESS.

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FOR LESSOR

STATE OF ILLINOIS    )  
                              ) SS  
COUNTY OF COOK     )

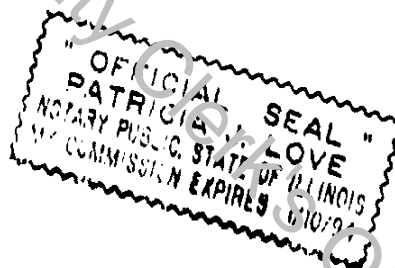
I, Patricia J. Love, a notary public in and for said County, in the State aforesaid, DO HEREBY CERTIFY THAT Thomas R. Prescott, personally known to me to be the Vice President of LUTHER VILLAGE OWNERS CORPORATION, an Illinois corporation and personally known to me to be the same person whose name is subscribed to the foregoing instrument, appeared before me this day in person and acknowledged that as such Vice President of said corporation he signed and delivered the said instrument pursuant to proper authority given by the Board of Directors of said corporation as his free and voluntary act, and as the free and voluntary act and deed of said corporation, for the uses and purposes therein set forth.

19 92. GIVEN under my hand and notarial seal this 21<sup>st</sup> day of May.

*Patricia J. Love*  
NOTARY PUBLIC

My Commission expires:

1-10-94



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FOR USE ONLY

STATE OF ILLINOIS )
) SS
COUNTY OF COOK )

I, D. Bauer, a notary public in and for said County, in the State aforesaid, DO HEREBY CERTIFY THAT

personally known to me to be the same person(s) whose name(s) is/are subscribed to the foregoing instrument, appeared before me this day in person and acknowledged that

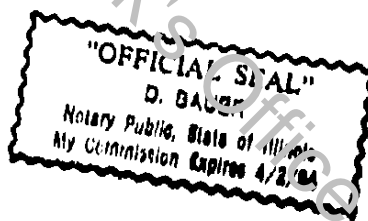
they signed and delivered the said instrument as their free and voluntary act and as the free and voluntary act for the uses and purposes therein set forth.

GIVEN under my hand and notarial seal this 21st day of May, 1992.

\*\*EMORY W. ROGERS BY WILLIAM A. ROGERS AS POWER OF ATTORNEY
MARGARET M. ROGERS BY WILLIAM A. ROGERS AS POWER OF ATTORNEY
PETER VAN ALYEA BY WILLIAM A. ROGERS AS POWER OF ATTORNEY
PEGGY VAN ALYEA BY WILLIAM A. ROGERS AS POWER OF ATTORNEY
WILLIAM A. ROGERS

NOTARY PUBLIC
D. BAUER

My Commission expires:



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